

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MATTHEW PAUL BOROWSKI,

Plaintiff,

v.

Case No. 16-cv-848-JPG

MAUREEN BAIRD, SARA REVELL,  
KIMBERLY BECHELLI, MARK  
SVENINGSON, and GRANT CRAWFORD,

Defendants.

**MEMORANDUM AND ORDER**

This matter comes before the Court on plaintiff Matthew Paul Borowski's motion to extend the time to file a notice of appeal in this case (Doc. 67). He seeks to appeal the Court's December 14, 2018, judgment. He believes he needs an extension of time because the law library at the prison in which he is confined is closed, so he is unable to get the address of the Court of Appeals for the Seventh Circuit.

It does not appear that Borowski needs an extension of time. Federal Rule of Appellate Procedure 4 sets forth the timing rules relating to notices of appeal. Rule 4(a)(1)(B) provides that, in a civil case like this involving a United States employee, the notice of appeal must be filed within 60 days of entry of the judgment or order from which the appeal is taken. Borowski's 60-day appeal period has only reached the half-way point. Furthermore, he does not need the address of the Court of Appeals to perfect an appeal because a notice of appeal must be filed with the District Court Clerk. Fed. R. App. P. 4(a)(1)(A). Since Borowski has made clear in his motion his intent to appeal the judgment in this case, his motion contains all the necessary contents of a notice of appeal, *see* Fed. R. App. P. 3(c)(1), and he has filed with the District Court Clerk well within the time period to file a notice of appeal, the Court **CONSTRUES** the

motion as a notice of appeal and **DIRECTS** the Clerk of Court to docket it as such using the filing date of his motion.

If Borowski wants to proceed without prepayment of the appellate filing fee, he must also file a motion for leave to proceed on appeal *in forma pauperis* in the District Court. Fed. R. App. P. 24(a)(1). The Court **DIRECTS** the Clerk of Court to send Borowski a form motion for leave to proceed on appeal *in forma pauperis* along with this order.

The Court further **DENIES** the motion for an extension of time (Doc. 67) **without prejudice** as it is unnecessary.

The Court further informs Borowski that the address to which he should mail filings directed to the Court of Appeals is:

Clerk of the Court  
United States Court of Appeals  
219 South Dearborn Street  
Chicago, Illinois 60604

**IT IS SO ORDERED.**

**DATED: January 14, 2019**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**